

the State of Nebraska. There are three branches of government and we all know that, judicial, executive and legislative. The most open branch of government is the Legislature. Our discussions are all open, recorded and available to the public. Our floor debate is transcribed. Our committee hearings are transcribed. People have a chance to observe us, to witness what we do, and to let us know if they like or dislike what happens. The executive branch is less open. What they have is the ability to meet without having open meetings. They can have their directors' meetings and the different agencies can meet. They can make decisions on policy and not have those meetings open, not have those meetings recorded and not have the public able to know how decisions are reached. The executive branch of government is more closed. But, even at that point, there is at least a little bit of openness available. On the judicial side, you really have a very closed shop not only in the way they make decisions where they, obviously, go behind closed doors and reach a decision but in the way that they are selected. At least on the side of the executive branch, you have a Governor elected by the people. That Governor selects agency directors and those agency directors are confirmed by this Legislature. We do take many other appointments as well for commissions and boards and we have some chance to say yes or no to appointments before they go over in the executive branch and do their jobs. We don't even have that in the judicial branch. There the process is a judicial nominating committee. They get names submitted. They meet in private. It's behind closed doors. They make a decision and some people are in, some people are out, nobody knows why. There is nothing recorded, the press is not allowed to observe.

SPEAKER BARRETT: One minute.

SENATOR WESELY: The people are not allowed to observe and so on goes to the Governor a select group of people who are allowed the chance to be judges. There the Governor makes a selection based on whatever reason and the next thing we know we have a new judge. Now, eventually, the people have a chance to vote on retention but by that time the person is already in office, been appointed and serving and it's very rare for this system to end up with anybody not being retained, although I think we have had at least one example of that. And so I think Senator Ashford is right, let's open up that branch of government that's been so closed. Let's give people a chance to know about how people are selected to serve over there. Let's give people a chance to